

REMARKS

Claims 1 to 55 are pending in this case. Claims 6, 7, 9, 15, and 16 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Claims 1, 8, and 10 have been rejected under 35 U.S.C. § 103(a) over Terasawa et al. (US Application Publication 2003/0147365 A1). Claims 2-5 and 11-14 have been rejected under § 103(a) over Terasawa in view of Braun ("PN Acquisition and Tracking Performance in DS/CDMA Systems with Symbol-Length Spreading Sequences" IEEE 1997, see IDS) and Bottomley (US Patent 5,237,586). By this Response, applicant respectfully requests reconsideration of the subject application in view of the following remarks.

Claims 6, 7, 9, 15, and 16 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Applicant thanks the Examiner for kindly indicating the allowability of the above claims, but defers rewriting these claims until final resolution of the rejected claims.

In paragraph 3 of the Office Action, claims 1, 8, and 10 have been rejected under § 103(a) over Terasawa. In response, applicant respectfully submits that Terasawa does not qualify as a prior art reference.

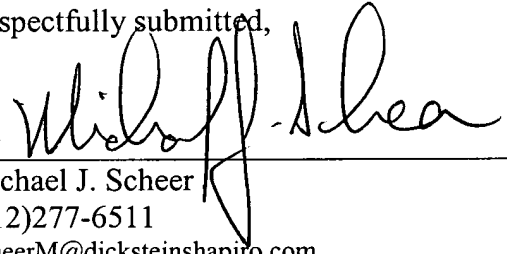
Terasawa has a prior art date of November 20, 2001, which is the filing date of the prior U.S. provisional application. The subject patent application claims the priority of Japanese Patent Application No. 401060/2000 filed December 28, 2000, which is earlier than the prior art date. A certified copy of the Japanese Priority Application was timely submitted to the USPTO along with the new application on December 26, 2001. Pursuant to 37 C.F.R. § 1.55(a)(4), applicant submits herewith a verified English-language translation of the Japanese Priority Application No. 401060/2000, to which the subject application claims priority.

In light of the above, the subject rejection is moot.

In paragraph 4 of the Office Action, claims 2-5 and 11-14 have been rejected under § 103(a) over Terasawa in view of Braun and Bottomley. Similar to the above remarks, applicant respectfully submits that the subject rejection is moot.

Applicants have shown that, in addition to claims 6, 7, 9, 15, and 16, claims 1-5, 8, 10-14, and 17-55 are also allowable and hereby respectfully request that the rejections of these claims be withdrawn. Each pending claim in this case is believed to be in immediate condition for allowance and such action is earnestly solicited.

Respectfully submitted,

By 
Michael J. Scheer
(212)277-6511
ScheerM@dicksteinshapiro.com

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DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant

Enclosure
Verified English Translation of Japanese Priority Application
No. 401060/2000, filed December 28, 2000.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 262794986 US, on the date shown below in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 3, 2008

Signature:  (Michael J. Scheer)